

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DARRELL BREWSTER,

Plaintiff,

NOTICE OF MOTION

-against-

Index No. CV 07 4016
(RPP)

NEW YORK CITY, *et al.*,

Defendant.

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PLEASE TAKE NOTICE that, upon defendants' memorandum of law in support of their motion to dismiss, dated January 18, 2008 and all other pleadings and proceedings herein, defendants will move this Court on _____ at the United States Courthouse, for the Southern District Court of New York, located at 500 Pearl Street, at 9:00 A.M. or as soon thereafter as counsel and counsel for the plaintiff may be heard for an order pursuant to Rule 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure dismissing the complaint on the ground that it fails to state a claim upon which relief may be granted, that the court lacks jurisdiction to hear plaintiff's claims for which he has no standing, and granting such other relief as to this Court seems proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, must be served on the undersigned no later than February 22, 2008 and that replies, if any, must be served no later than March 10, 2008, pursuant to the Court's Order of November 21, 2007.

Dated: New York, New York
 January 18, 2008

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By: 

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TO: Stroock, Stroock & Lavan, LLP, Attorney for Plaintiff